

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:15-CR-00074-JAD-NJK

Plaintiff,

Findings of Fact, Conclusions of Law and Order

V.

KELLY ANN MOGAVERO,

Defendant.

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The current revocation hearing is scheduled for October 28, 2024. Both government counsel and counsel for defense are out of the district the entire week beginning October 28, 2024.

2. Both counsel for the defense and counsel for the government need additional time to prepare for the revocation hearing in this case. The parties have agreed to continue the hearing for at least 30 days because defense counsel needs additional time to consult with Mogavero and prepare her for the hearing.

3. Moreover, the parties have agreed to try to negotiate a global resolution to include the revocation violations and a pre-indictment agreement regarding allegations of a new federal law violation that has not yet been charged against the defendant.

Mogavero is represented by retained counsel, Mace Yampolsky, Esq., in the new law.

violation matter. The defense requires additional time to adequately advise Mogavero regarding any plea negotiations in light of her recent medical diagnosis.

4. The defendant is not incarcerated and does not object to the continuance.

5. The parties agree to the continuance.

6. The additional time requested herein is not sought for purposes of delay, but merely to allow the defense sufficient time within which adequately prepare for the hearing. Additionally, denial of this request for continuance could result in a miscarriage of justice, and the ends of justice served by granting this request, outweigh the best interest of the public and the defendant in a speedy hearing.

7. This is the fifth stipulation to continue the revocation hearing.

ORDER

THEREFORE, IT IS HEREBY ORDERED that the revocation hearing in the above-captioned matters, currently scheduled for October 28, 2024 at 1:30 p.m., be vacated and continued to a date and time convenient to this Court, that is on December 3, 2024, at the hour of 11:00 a.m.

DATED this 23rd day of October 2024.

Jennifer A. Dorsey
United States District Court Judge